

Editorial

The Politics of Police Administration in Sindh, Pakistan

This editorial is divided in two parts. In the first part I write a brief note on the current political fray between Sindh's provincial government and its Inspector General of Police. In the second part I introduce the articles in this issue.

I

On July 10, 2017 the Inspector General (IG) of Sindh police, Allah Dino Khowaja, wrote an official letter to the Chief Minister. In this letter the IG sent a distress call to the Chief Minister requesting him to "intervene to save the department from drifting into complete mal-administration." The political context of this letter is a year-long fray between the provincial government, which sought to remove Khowaja from the office, and the office of IG that wants to retain administrative control over the provincial police as provided in the Police Act, 1861. While the provincial government failed to remove Khowaja, it removed his core subordinate team members by way of a number of transfers, especially the transfer of AIG Operations and DIG Finance. Thus protesting against these transfers, the Khowaja wrote in the letter to the Chief Minister that the political interference of Home Department was "undermin[ing] the administrative control of the IGP" and resulting in "complete breakdown of daily routine work in Central Police Office paralyzing police as an organization."

The fray between the provincial government and the office of the IG has not stopped at the transfers. The provincial government has proposed to introduce a legislation for reforming the provincial police service. According to the Provincial Law Minister, Zia ul Hassan Lanjar, the legislation is being designed on the pattern of KP's Police Ordinance, 2016. However, it will vest much of the administrative powers (i.e., high level postings, transfers, promotions, and procurement) in the office of the Chief Minister and especially Secretary of Home Department, rather than in the office of the IG as it is under the Police Act, 1861 (Daily *Pakistan Observer* 2017). For the purpose of drafting this new legislation the provincial government has set up a Police Reforms Committee.

What is interesting to note about the committee, is the fact of matter that although a wide range of stakeholders, including serving members of the provincial police, were invited to take part in its deliberations, the IG Police was neither invited to take part nor kept informed about the proposals of reforms. By the end of July 2017, the committee has organized three sessions and prepared its recommendations for the potential new legislation. The provincial government is said to have accepted almost all of the recommendations, but it has also showed intention to introduce certain provisions of its own in the bill. Again, the final draft of the bill, which is ready for submission to the cabinet and the Provincial Assembly's standing committee, has not been shared with the police department. This is leading the provincial police department to suspect that government wants to retain its administrative control on the police (Ali 2017).

From the point of view of public administration, in this fray between the Home Department and the Office of IG, what we see at stake is the question of how to balance democratic accountability with the organizational principle of (unity of) command and control. In other words, how far and in what ways a democratically elected government can/should exercise administrative control over the police such that its organizational dynamics, especially the functional and financial autonomy, are not weakened. Theoretically speaking, a number of models can be presented that answer to this problem. In Pakistan, however, for over four decades now since the 1985 Police Reforms Commission, this relationship between a democratically elected government and the police is not settled.¹ It is also interesting, rather ironic, to notice that Sindh was the first province to have proposed a bill (February 1948) in the Assembly to reform the police system in Karachi, which though could not materialize. A major change came with the Police Order 2002, when the principle of democratic accountability was introduced in the policing system. However, the Order could not be implemented or experimented in its letter and spirit. By 2004 it stood reformed, later on Sindh and Baluchistan chose to abandon it and revert to the earlier Police Act of 1861.

Interestingly, Sindh is once again considering to introducing a new police Act on democratic lines. However, the real test of its democratic spirit will be how it settles the question of democratic

accountability of the IG. Since the proposed law act is designed on the pattern of KP's Police Ordinance 2016, it seems that Sindh's response to the question of democratic accountability will be more or less like it. In KP, the Ordinance 2016 guarantees institutional autonomy to the police service. For instance, the Provincial Police Officer, PPO, (new designation for the IG) is now an ex-officio secretary and enjoys autonomous powers in matters of administration and finance. He makes all postings and transfers up to the rank of Additional Inspector General. Earlier, the Chief Minister made these appointments. He also has the power to divide the police jurisdiction into one or more territorial regions with their own commanding officers. However, these increased powers of the PPO have come with a peculiar arrangement of the principle of democratic accountability: The PPO is made accountable to the Provincial Public Safety Commission and to the elected provincial government. The provincial government can prematurely remove him after hearing his defense in person. Now if Sindh is going to have similar provisions in the new legislation then on the one hand the IG will get to choose his team of subordinate officers, and on the other, the provincial government could remove him prematurely. Given the poor democratic culture in the province of Sindh, the Office of the IG will effectively become subservient to the Home Department, which may result in serious implications for the police department and law and order situation in the province.

II

Now I would like to introduce the articles in this issue. Our first article by James Albretch gives a detailed overview of different policing strategies adopted by the NYPD since 1960s. Albretch argues that the NYPD's strategy has come a full circle starting with soft version of right realism in 1960s and 1970s, then adopting and experimenting with different models of community policing over the new two decades, and eventually readopting right realism with proactive zero tolerance tactics. At the end of his essay Albretch draws lessons from the experience of NYPD for policing in Pakistan.

Prit Kuar carries out an empirical research on the modes of dispute settlement in the contemporary American society. She demonstrates that while the majority of disputes are resolved through the regular state institutions, there are other non-state

modes that are also engaged. She also investigates as to what makes people choose a specific mode of dispute settlement.

Petter Gottschalk investigates the low visibility of involvement of women in white-collar crimes in the West. Taking the case of a Norwegian woman's involvement in corruption, Gottschalk argues that although women are involved in white-collar crimes, their visibility is low because they are least suspected.

One of the critical issues faced by law enforcement in Pakistan is human trafficking. Muhammad Munir explores this issue and argues that the reason for its exacerbation is the lack of and/or loopholes in the existing laws. He further argues that those agencies assigned with the task of coping with the issue are themselves in one way or another involved in it.

Apart from human trafficking there are a number of other practices that make women vulnerable in our society. Maliha Gull Tarar, Sarah Safdar, and Syeda Mahnaz Hassan interview a number of women victims of violence at a government Dar-ul-Aman in the province of Punjab. They focus on how violence is rationalized and normalized through cultural and religious discourse on the status and role of women in our society.

The issue of tax evasion is another foremost challenge faced by the fledgling economy in Pakistan. Muhammad Atique Khan and Babak Mahmood examine secondary data from 1992 to 2008 and argue that certain loopholes in taxation laws make tax evasion possible. They further argue that government directly and/or indirectly allows the incidence of this white-collar crime instead of taking action against the criminals.

The Federally Administered Tribal Areas of Pakistan have their own peculiar criminal issues. One of such issues relates to honor killing. In their article Arshad Khan Bangash and Niaz Muhammad argue that Kurram Agency has faced the menace of honor killing for long time, but now the society is in the stage of socio-cultural transition. Therefore, the nature and incidence of honor killing is also changing.

Punishment is one of the crucial parts of our criminal justice system. Capital punishment is also awarded in the country, and after the Peshawar Army Public School attack moratorium on executing death sentences was removed. Now death sentences are regularly given. Iram Amjad and Dr Muhammad Shaban Rafi focus on what

death row inmates write as their last words for their families. They focus on the text of letters to understand how death row inmates reflect on their crimes and what advice they have for others.

Training of law enforcement agencies, especially the police, is crucial to the study of criminology. In Pakistan there is need for specialized research on improving police training courses. Farhat Ullah takes up the study of problems faced by KP's police training program. Carrying out empirical and ethnographic research, he writes that the police-training program that started in colonial times continues in its almost original form to the present time without enough reforms. He argues for introducing modern policing techniques and establishing new training colleges, courses, and manuals.

Syed Mukarram Shah Gillani takes up the security issue in Balochistan. He traces the different phases of insurgency in the province and throws critical light on the role of the state and local nationalist leadership. He also critiques the counter-insurgency strategy of the state. He suggests that there has been crisis of political legitimacy of elected and non-elected types of government in the province, which needs to be addressed in the first place if the state wants to bring peace there.

Due to the long-standing crisis of law and order in the province (Balochistan), young men and adolescents have become susceptible to insurgency, crime, and violence. In their research Samreena Rose, Saima Ambreen, and Waseem Fayyaz explore the growing rate of juvenile delinquency and its conditioning factors. Carrying out focus group discussions in Quetta city with a number of stakeholders in the society they find out that both the crisis of politics and dearth of financial resources and employment are causing the cycle of juvenile delinquency to go on.

Notes

1. Earlier efforts on reforming the police in Pakistan were made in 1951 and 1961 under the leadership of Sir Oliver Gilbert Grace and Justice JB Constantine respectively. Later efforts were made in 1985, 1997, and 2002. Overall about two-dozen committees and commissions have been formed since 1951 throughout Pakistan.

References

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